

EXHIBIT D



Department of Homeless Services

NYC Department of Homeless Services Incident Report

Priority Code: 3

Date: 04/21/2017

Day of Week: Friday

Time: 11:51 AM

Facility Name: Marsha's House

Facility Code: X185

Facility Class: Shelter

Facility Type: Adult Shelter

Primary Type: On-site incidents that are not classified as Priority One or Priority Two, but occur in the shelter involving clients, staff, visitors or property, including: thefts, physical fights, personal injury, minor property damage, and/or evacuations

Secondary Types: On-site incidents that are not classified as Priority One or Priority Two, but occur in the shelter involving clients, staff, visitors or property, including: thefts, physical fights, personal injury, minor property damage, and/or evacuations

PERSONS INVOLVED: O=Other S=Staff C=Client V=Victim W=Witness Ob=Observer P=Perpetrator Q=Other

O-S-C	V-W-Ob-P-O	Last Name	First Name	Sex	CARES ID	SSN	Age	DOB
S	W	Gordon	Calvin					
S	O	Barnes	Dionne					
S	W	Roye	Katina					
C	O	LOPEZ	MARIAH	Female			31	
S	O	Linton	Akeem					

BRIEF DESCRIPTION OF INCIDENT: (Who, what, where, when) Attach additional sheet if necessary

Created by: Kaedon Grinnell

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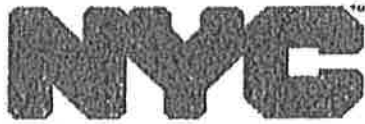
On Friday, 4/21/17 at approximately 11:51am, client Mariah Lopez [REDACTED] bed #5-001 entered operations inquiring as to the procedure to retrieve her property from another location. RA Barnes, contacted A.D Katina Roye to further assist the client. RA Barnes was instructed to ask the client if her property was in someone else's apartment or another facility, she began yelling at staff and became verbally abusive. Client then took her phone out and began recording staff inside operations. RA Barnes reiterated several times that she did not consent to being recorded as the client continued to film operations staff and stream the video on Facebook live. RA Barnes asked the client to please step away from her as she felt threatened and that the client was invading her personal space. Client continued to be



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verbally abusive and making threats to staff saying "You are going to gag when you get off work." The client continued to engage staff including RA Linton. The client and RA Linton's verbal altercation continued to escalate and RA Linton and the client began to make inappropriate comments towards one another. Eventually, RA Linton invited the client outside to engage in a fight. RA Linton was asked to leave the building in order to diffuse the situation. AD Roye arrived at the office shortly after the altercation began. LPN Gordon contacted 911 after it was clear that the situation was escalating. At 12:08PM Officers #956 and #17131 arrived. At 12:11PM, FDNY #3413, #1110 and #1535 entered the facility. All parties spoke with AD Roye, LPN Gordon and CARES ID# 745918. NYPD and FDNY exited the facility at 12:30 with no arrests made.

IMMEDIATE ACTION TAKEN: (By on-site staff responding to the incident)

NYPD was contacted. The staff involved in the verbal altercation were removed from the building.

RESIDENT STATEMENT ATTACHED, WHEN APPLICABLE. (See Part 491.7(d)(15))

- ☐ Resident statement attached.
☐ Resident refused but offered.
☐ Resident unable to provide statement due to medical or related emergency reason.
☐ Other _____

Report Prepared By/Signature: _____

Date: 4/21/17

Title: Sh. Her Director

Report Reviewed By/Signature: _____

Date: 4/21/17

Title: ASSISTANT DIRECTOR

☐ Security/Peace Officer Report Attached

REVIEW/RECOMMENDATION: To be completed by DHS Staff

INDICATORS: To Be Completed by DHS Staff

Date: _____

Signature of DHS Program Analyst _____

DISPOSITION/FINAL ACTION TAKEN: To be completed by DHS Program Administrator



**Department of
Homeless Services**

Date: _____

Signature of DHS Program Administrator _____

DATE REPORT RETURNED TO FACILITY (CLIENT SUSPENSIONS ONLY):

Priority One Incidents are the most serious and urgent. Priority One incidents include:

- Homicide, suicide, or death on site attempted homicide, attempted suicide, assault resulting in life-threatening injury, or accident resulting in life-threatening injury (including drug overdose) Use of a firearm Rape, attempted rape, or sexual assault Arrest for alleged child abuse or emergency transport of child for medical treatment due to suspected child abuse Fire, disaster, or other environmental concern that involves a life-threatening injury or the evacuation of an entire site as directed by emergency personnel or FDNY response Riot, bomb threat, hostage taking/abduction, or missing children Unscheduled on-site presence of the press or elected official Assault or threatening behavior that results in life-threatening injury or accident resulting in life-threatening injury (including overdoses) Arrest of DHS staff on site Heating, water, electrical failure, or other environmental issue (i.e. asbestos, lead, radon), that is expected to last more than 4 hours Domestic violence that results in the victim pressing charges, arrest of the assailant and/or the relocation of the victim

Priority Two Incidents include problems that are not immediately life-threatening or dangerous, but still must be reported promptly, so that agency administrators are informed of the incident and can resolve the matter within appropriate time frames

- Physical fights that do not result in arrest
- Allegations of: rape, attempted rape or sexual assault that do not result in arrest
- Arrest of a client, staff, or visitor for criminal activity occurring in the facility, including harassment, intimidation or victimization (i.e. stealing, extortion, loan sharking)
- Incidents that occur off shelter premises (including client deaths) and/or involve persons known to be current shelter clients and that would otherwise be classified as Priority One
- Child abuse that is reported and results in the removal of children by ACS, but no arrests are made
- Theft or vandalism of property valued at \$1500 or more
- Intentional fire setting or damage to facility equipment by a client
- Possession, use, or sale of drugs or alcohol on premises resulting in suspension of a client
- Possession of a firearm

Priority Three Incidents include unusual occurrences that need to be recorded and reviewed for possible corrective action:

- On-site incidents that are not classified as Priority One or Priority Two, but occur in the shelter involving clients, staff, visitors or property, including: thefts, physical fights, personal injury, minor property damage, and/or evacuations
- Off-site incidents involving clients and/or staff that affect community quality of life, including: thefts, physical fights, personal injury, minor property damage, and/or evacuations
- Removal, via EMS, of any client for any reason other than a Priority One or Priority Two event



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Special Cases:

- If NYPD, FDNY or EMS has been called, and is not responding within a reasonable time, immediate notification must be made to at least the Assistant Commissioner for guidance and assistance
- In confirmed or suspected cases of contagious disease (i.e. chickenpox, Hepatitis A, tuberculosis, measles, meningitis); the Assistant Commissioner should alert the Agency Medical Director immediately